

HEARING STATEMENT: MATTER 2

CIVIC QUARTER AREA ACTION PLAN

**TRAFFORD COUNCIL'S RESPONSE TO THE INSPECTOR'S
MATTERS, ISSUES AND QUESTIONS**

*Matter 2 - Sustainability Appraisal (SA) and Habitats Regulation
Assessment (HRA)*

Introduction

This hearing statement has been prepared by Trafford Council in response to the Inspector's Matters, Issues and Questions for the Examination hearing sessions. It addresses Matter 2: Sustainability Appraisal (SA) and Habitats Regulation Assessment (SRA).

The following key documents are relevant to this response:

- Civic Quarter Area Action Plan Regulation 19 version (January 2021) **A01**
- Sustainability Appraisal Report **B01 – B07**
- Randle Thorp Townscape and Visual Assessment **C09 – C11**
- Trafford Core Strategy **J01**
- Emerging Trafford Local Plan (Regulation 18) **J03**
- Joint Development Plan – Places for Everyone **J04**
- Habitats Regulation Assessment (screening) (September 2021) **J19**
- PlanIt IE TVIA **C08-10**

2.1 *Is the Plan supported by the SA and HRA?*

2.1.1 Yes. The Plan is supported by the SA and HRA. The SA forms part of the overall Integrated Assessment (IA), comprising the SA, Health Impact Assessment (HIA) and Equalities Impact Assessment (EqIA). The SA assesses the effects of the AAP across a range of environmental, social and economic issues; the HIA assesses the effects of the AAP on the health and well-being of the population and its ability to access health-related facilities and services (the IA objectives have been drafted to include health considerations as part of the appraisal) and the EqIA assesses the effects of the AAP in terms of equalities issues, with a particular focus on disadvantaged or excluded groups of people.

2.1.2 The IA was updated for the Regulation 19 Publication Draft consultation in December 2020 and forms part of the supporting documents submitted. How the SA (and other related IA components) influenced the Plan is set out in the answers to questions 2.2 and 2.3.

2.1.3 The HRA screening of the CQAAP was carried out in September 2021. The CQAAP is regarded as a Plan which is considered to have some potential to have significant effect on one or more European protected site and should therefore be subject to assessment. The purpose of the Screening stage of the HRA process is to initially identify the risk or the possibility of significant adverse effects on a European site which could undermine the achievement of a site's conservation objectives and which therefore require detailed examination through an appropriate assessment. If risks which might undermine a site's conservation objectives can clearly be ruled out (based on the consideration of objective information), a proposal will have not likely effect (LSE) and no appropriate assessment will be needed. In summary, the HRA Screening concluded that the CQAAP will not cause any LSE on any European designated sites, either alone or in combination with other plans and projects. The operation of Policy CQ4 will protect and enhance the natural environment.

2.2 *What evidence is there that the SA has influenced the Plan and/or undertaken a full assessment of **realistic alternatives**?*

Consideration of Reasonable Alternatives

Do Nothing

2.2.1 The area within the Civic Quarter is anticipated to receive a significant increase in development activity over the next 15 years plus. This is predicated on the recent development activity within the area, for predominantly residential led uses whereby as of March 2022, 259 new homes have been delivered with the SL3 area and a scheme for a further 150 is currently under construction. There is also a 'minded to grant' resolution for a further 750 units with reserved matters expected for 630 of those units in the next couple of months.

2.2.2 Notwithstanding this, there are there remains a significant amount of vacant or underutilised land within the plan area suitable and deliverable for redevelopment.

2.2.3 Consequently, a strong and area specific strategy to guide and steer the development of the area is needed.

2.2.4 Doing nothing is therefore not considered a reasonable alternative and as such it was not subject to a formal Sustainability Appraisal.

Produce a Supplementary Planning Document (SPD)

2.2.5 Whilst the production of a supplementary planning document is often an expedient and efficient way of providing extra planning guidance; due to the amount of large scale residential led development anticipated within the Civic Quarter, combined with the limitations of the adopted Development Plan, it was not considered that an SPD was the most appropriate vehicle within which to guide future development.

2.2.6 In order to ensure that the civic quarter develops in a comprehensive and holistic manner, it is essential that a proper planning policy framework is available to allow developers, landowners and the council to determine the detailed future of the area. Supplementary planning documents do not form part of the Development Plan and therefore do not provide sufficient policy weight within which planning decisions can be adequately determined.

2.2.7 Consequently, producing a supplementary planning document is not a reasonable alternative and was not subject to a formal sustainability appraisal.

No Site-Wide Infrastructure Provision, Processional or Well-Being Route

2.2.8 Currently the civic quarter does not have sufficient quality infrastructure provision within it to accommodate the planned and anticipated growth expected.

2.2.9 It is essential therefore, that in order to deliver a viable and attractive mixed-use community that necessary infrastructure to support the type and quantum of development expected is provided.

2.2.10 The anticipated necessary infrastructure needs of the civic quarter include (inter alia):

1. Additional electricity capacity through the provision of a substation
2. Provision of a primary school and/or primary school places within existing schools in the catchment area(s)
3. Improvements to the public realm including the provision of a pedestrianised processional route and wellbeing route linking key areas of the Civic Quarter with community and recreational facilities
4. Others

2.2.11 Without these essential infrastructure provisions development of the Civic Quarter will take place in an unplanned and uncoordinated way giving rise to additional pressures on existing infrastructures, many of which are already oversubscribed or over capacity. It is therefore entirely appropriate that some of the cost associated with providing these essential pieces of infrastructure are borne by the developments giving rise to the need.

2.2.12 The results will be an attractive, viable, coordinated and deliverable mixed-use community.

2.2.13 It is therefore not a reasonable option for the Civic Quarter Area Action Plan to not account for the provision of and requirement of contributions towards necessary site wide infrastructure and improvements.

Other Building Height, Scale and Density of Development

Building Heights, Scale and density of development

2.2.14 The approach to building height, scale and density proposed in the Civic Quarter is driven by a desire to regenerate the area taking advantage of its proximity to public transport nodes, the presence of existing tall buildings, and the need to making efficient use of land whilst at the same time conserving and enhancing the historic environment. It is an area capable of delivering transformational change.

2.2.15 The initial masterplan for the Civic Quarter was produced by Feilden Clegg Bradley Studios (FCB), a multi-award winning architectural and urban design practice with an international reputation.

- 2.2.16 An initial TVIA was undertaken in 2018 by Planit IE, another multi-award winning urban design consultancy, to establish an appropriate scale and form that tested and advanced the footprint and massing framework produced by FCB. This assessment included the site itself and the full extent of the wider townscape around it. The assessed effects were agreed following roundtable review by a team of experienced assessors.
- 2.2.17 A further TVIA was undertaken by Randall Thorp in January 2020 (Examination Documents C09, C10, C11). By this point the masterplan proposals had been developed through an iterative design process to create a vision for the Civic Quarter. This has included thorough analysis of the site context, its historic context, townscape character, movement and green infrastructure within the locality as well as consultation with stakeholders.
- 2.2.18 The approach adopted is considered to be one that optimises development potential in the area, by taking advantage of the opportunity to deliver tall buildings at a high density, but balancing this with the need to reduce height close to existing heritage assets and other low rise buildings including the two storey houses on Hornby Road, Barlow Road and Great Stone Road.
- 2.2.19 In round table discussions between Feilden Clegg Bradley Studios, Planit IE and Trafford Council officers, opportunities to deliver greater height, and conversely lower height and lower density were considered but ultimately dismissed in favour of the submission proposals. It was considered that the TVIA work undertaken demonstrated that the height and scale of development proposed could be satisfactorily be accommodated within the corresponding neighbourhoods without causing harm to the character of the area, existing heritage assets or amenity. It was not considered appropriate to test for greater height and scale than that proposed as it was considered that this would detract from the area's character and caused harm to residential amenity.
- 2.2.20 The proposals seek to consolidate taller scale and massing ('Up to 20 storeys') around Oakland House (15 storeys) to allow for a family of appropriately scaled taller buildings to cluster around it. A second cluster would be on the northern gateway facing Chester Road with height and massing conversant with Exchange Quay to the north. Heights over 20 storeys are not generally envisaged to ensure the area's unique characteristics are preserved. Variation in the scale and massing will also be required within the height parameter zones to create townscape interest, protect outlook and maximise light and sunlight penetration.
- 2.2.21 The mid-rise height parameter ('Up to 12 storeys') has been set to mediate between existing low and high rise buildings to allow for appropriately scaled blocks throughout this area, whilst the 'Up to 6 storey' parameter takes

account of historic buildings and the need to be sensitive to neighbouring two storey residential buildings.

2.2.22 Building blocks expressed on the illustrative masterplan are shown as terraces, finger blocks or point blocks. Together, many of them will result in perimeter block development but importantly, to allow for development of an appropriate scale and density that provides appropriate amenity space, outlook, daylight and sunlight for future residents, significant gaps are suggested between the buildings.

2.2.23 As such an alternative building heights, scale and density strategy is not considered a realistic or deliverable option for the future of the area and as such was not subject to a formal sustainability appraisal.

Employment Led Regeneration

2.2.24 An employment-led regeneration strategy for the Civic Quarter is not a reasonable alternative due to the long-term declining market conditions in the area whereby the majority of existing employment buildings and land are either not fully occupied, currently standing vacant or are being actively marketed for alternative uses.

2.2.25 In this regard it should be noted that a number of large employers within the Civic Quarter such as Kellogg's and others have moved in recent years to newer modern commercial and employment premises in neighbouring authorities including to Media City in Salford.

2.2.26 Consequently, an employment-led strategy it is not considered a realistic or deliverable option for the future of the area and as such was not subject to a formal sustainability appraisal.

Summary

2.2.27 The above alternative options were considered at the outset of the creation of the Civic Quarter Area Action Plan to ensure that the plan adequately addressed the specific current and future needs of the area.

2.2.28 None were considered to be reasonable alternatives to the preferred approach set out in the submitted Civic Quarter Area Action Plan.

2.2.29 The SA does not, therefore, specifically reference or provide narrative of a full assessment of these alternatives.

Integrated Assessment (including Sustainability Appraisal) of the Civic Quarter Area Action Plan

2.2.30 Following this internal appraisal of alternative options, the most reasonable and realistic option for the development of a deliverable Civic

Quarter Area Action Plan was subject to detailed sustainability appraisal via an integrated assessment as set out below.

- 2.2.31 The IA (including the SA) is an integral part of the plan-making process for the Plan. Its purpose is to assess the impacts of the emerging plan on social, economic, environmental, health and quality objectives. The Council completed consultation on the Consultation Draft CQAPP (Regulation 18 version) between February and April 2020. Alongside its preparation, an IA document was also produced and consulted on which included three separate but complementary assessments in order to inform the development of the AAP. The IA document was informed by a draft scoping report which set out the proposed scope, approach and method of the IA process.
- 2.2.32 In advance of the Regulation 19 (Publication) version consultation which was completed in March 2021, further amendments to the document were made. Some adjustments to the CQ AAP have been made in order to respond to the outcome of the earlier consultation, adjustments to the evidential base, and to address feed from the original IA exercise. In general terms, however, the strategy for the Civic Quarter to be progressed via the AAP is unchanged. The updated IA revisited the IA to account for the changes to policy content, and to assess the effects of a new policy (CQ11 – Infrastructure and Obligations).
- 2.2.33 Overall, the IA has concluded constructively, with improvements recorded relative to the previous assessment reflecting positive adjustments to policy/vision wording. In relation to all 16 IA objectives, the policies, vision and strategic objectives of the CQ AAP are expected to achieve ‘major positive’, ‘positive’ or ‘neutral’ outcomes. The previous, limited number of ‘minor negative’ impacts have been bettered.
- 2.2.34 The EqlA undertaken at Regulation 18, when the policies and vision of the CQAAP were tested against each characteristic, the result was either a ‘positive’ or ‘neutral’ impact. No ‘negative’ impacts were identified. At Regulation 19, a separate EqlA for the new policy (CQ11 – Infrastructure and Obligations) was also undertaken. This concluded that the new policy would have a range of positive outcomes and would be available to all user groups.

2.3 Do any **adverse effects** identified in the SA require significant mitigation, and how does the Plan address these issues?

2.3.1 The Council would define ‘adverse effects’ identified in the SA as those that scored a ‘minor negative’ effect, ‘major negative’ effect or unknown at this stage over the short, medium and long term.

2.3.2. The tables below outlines the vision and policies that required mitigation through the SA process and how the Plan addresses these issues.

Vision

IA Objective:	2 – Promote equality of opportunity and reduce levels of deprivation and disparity		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Minor negative effect	Minor negative effect	Minor negative effect
Mitigation or enhancement required:	Consideration should be given to the inclusion of accessible facilities and services within the Vision.		
How the Plan addressed:	The Vision now refers to the ambition to achieve an inclusive neighbourhood, and that new opportunities for work and leisure will be accessible to all. The intention is to promote equality of opportunity including for existing residents.		
Final assessed impact (IA December 2020):	Short	Medium	Long
	Positive effect	Positive effect	Positive effect

IA Objective:	8 – Conserve and enhance the historic environment		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Minor negative effect	Minor negative effect	Minor negative effect
Mitigation or enhancement required:	Consideration should be given to the inclusion of enhancing heritage assets in the Vision.		
How the Plan addressed:	The Vision now makes explicit reference to the enhancement of heritage assets.		

Final assessed impact (IA December 2020):	Short	Medium	Long
	Positive effect	Positive effect	Positive effect

Policy CQ1 – Civic Quarter Regeneration

IA Objective:	2 – Promote equality of opportunity and reduce levels of deprivation and disparity		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Unknown at this stage	Unknown at this stage	Unknown at this stage
Mitigation or enhancement required:	Policy with the AAP needs to make reference to how the economic development in the area will help the existing communities.		
How the Plan addressed:	The policy, through the inclusion of a new bullet point, now makes specific reference to development being of benefit to existing communities (by improving access to employment areas, to training and to education, offering improvements to the local environment, adding to the housing stock, including its range, and contributing to healthy lifestyle choices).		
Final assessed impact (IA December 2020):	Short	Medium	Long
	Positive effect	Positive effect	Positive effect

Policy CQ2 – Housing

IA Objective:	13 – Promote sustainable consumption of resources and support the implementation of the waste hierarchy		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Minor negative effect	Minor negative effect	Minor negative effect
Mitigation or enhancement required:	Apply planning policy on the provision of waste recycling facilities alongside the delivery of new development.		

How the Plan addressed:	The policy has been updated to make reference to the need for residential development proposals to make adequate refuse management arrangements.		
Final assessed impact (IA December 2020):	Short	Medium	Long
	Neutral effect	Neutral effect	Neutral effect

Policy CQ3 – Mixed Use Communities

IA Objective:	7 – Conserve and enhance landscape, townscape, and the character of the borough		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Unknown at this stage	Unknown at this stage	Unknown at this stage
Mitigation or enhancement required:	Further site-specific work on sensitivity to new development, with a responsive approach to delivery, in accordance with the design policies and principles of the AAP would likely result in a positive outcome.		
How the Plan addressed:	The policy has been amended to ensure that proper control and management of commercial/service uses takes place in the interests of the amenities of the area, and to avoid an overproliferation of cafes, bars and restaurants which could impact on resident health.		
Final assessed impact (IA December 2020):	Short	Medium	Long
	Neutral effect	Neutral effect	Neutral effect

IA Objective:	13 – Promote sustainable consumption of resources and support the implementation of the waste hierarchy		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Minor negative effect	Minor negative effect	Minor negative effect
Mitigation or enhancement required:	Apply planning policy on the provision of waste recycling facilities alongside the delivery of new development.		

How the Plan addressed:	The policy has been updated to make reference to the need for residential development proposals to make adequate refuse management arrangements.		
Final assessed impact (IA December 2020):	Short	Medium	Long
	Neutral effect	Neutral effect	Neutral effect

2.3.3 The key recommendation arising from the earlier IA, and repeated in respect of a number of different IA objectives (including 3 - Support improved health and wellbeing of the population and reduce health inequalities; 5 – Ensure that there is sufficient coverage and capacity of sustainable transport and utilities to support growth and development and 6 - Improve the accessibility of the Borough by equitable means to community facilities, services and other needs) was that this policy failed to take account of the need for new development to contribute to the provision of new or improved infrastructure within the AAP area.

2.3.4 The policy in itself has not been amended to address this shortcoming, a new standalone policy has been introduced (Policy CQ11).

Policy CQ6 – High Quality Urban Design

IA Objective:	13 – Promote sustainable consumption of resources and support the implementation of the waste hierarchy		
Initial assessed impact (IA January 2020):	Short	Medium	Long
	Minor negative effect	Minor negative effect	Minor negative effect
Mitigation or enhancement required:	Consider inclusion within the proposed policy and/or Design Principles to waste management, both in terms of construction materials and waste generated from development.		
How the Plan addressed:	The policy has been updated to make reference to the need for residential development proposals to make adequate refuse management arrangements.		
Final assessed impact (IA December 2020):	Short	Medium	Long
	Neutral effect	Neutral effect	Neutral effect

IA Objective:	14 – Reduce per capita greenhouse gas emissions					
Initial assessed impact (IA January 2020):	Short		Medium		Long	
	Minor effect	negative	Minor effect	negative	Minor effect	negative
Mitigation or enhancement required:	Proposed AAP policy CQ4 requires new development to achieve the highest levels of energy efficiency that is practical and viable. When implemented as a whole, the overall effect of the AAP would be neutral to positive against this IA Objective.					
How the Plan addressed:	The policy has been altered to cross-refer to the sustainability objectives of Policy CQ4.					
Final assessed impact (IA December 2020):	Short		Medium		Long	
	Positive effect		Positive effect		Positive effect	

IA Objective:	15 – Reduce the consequence of flooding					
Initial assessed impact (IA January 2020):	Short		Medium		Long	
	Minor effect	negative	Minor effect	negative	Minor effect	negative
Mitigation or enhancement required:	Proposed AAP policy CQ4 requires new development to achieve the highest levels of water efficiency that is practical and viable. When implemented as a whole, the overall effect of the AAP would be neutral to positive against this IA Objective.					
How the Plan addressed:	The policy has been altered to cross-refer to the sustainability objectives of Policy CQ4.					
Final assessed impact (IA December 2020):	Short		Medium		Long	
	Positive effect		Positive effect		Positive effect	

2.4 Does **policy CQ4 – Sustainability and Climate Change** - require a reasonable level of commitment to achieving high levels of energy and water efficiency, and is the overall aim for new development to be carbon neutral by 2028 realistic?

2.4.1 Yes. Policy CQ4 requirements are reasonable regarding energy and water efficiency and are consistent with central government policy and guidance expressed through the NPPF, Net Zero Strategy, Future Homes Standard, Future Building Standard, National Model Design Code, UK Government 25 Year Environment Plan, GM 5 Year Environment Plan and Places for Everyone, along with the Trafford Core Strategy and draft Local Plan. The UK Government Net Zero Strategy, for example, contains an aim to phase out the installation of new and replacement natural gas boilers by 2035. NPPF paragraph 152 states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and that it should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. The Trafford Core Strategy, through Policy L5, requires that new development should mitigate and reduce its impact on climate change, pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation, Policy L5.2 states that major built development proposals will be required to demonstrate how they will seek to minimise their contribution towards and/or mitigate their effects on climate change, in line with both national standards and local opportunities and programmes, with development proposals to be supported by a carbon budget. Similarly, GM Places for Everyone emerging Policy JP-S 2 Carbon and Energy expects new development to be net zero carbon from 2028, seeking to minimise energy demand; maximise energy efficiency; utilise renewable energy, low carbon energy and other energy sources. This approach is consistent with the draft policies of the draft Trafford Local Plan, draft Trafford Design Guide and CQ4.

2.4.2 In respect of water, Policy L5.16 details how the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location, involving a sequential approach to determining the suitability of land for development and application of the exception test outlined in national planning policy. Developers are required to demonstrate at the planning application stage, through a Flood Risk Assessment (FRA), that account has been taken of flood risk from all sources and are also required to improve water efficiency and reduce surface water run-off through the use of appropriate measures such as

rain water harvesting, water recycling and other Sustainable Drainage Systems (SUDS) as detailed in policies L5.17 and L5.18.

- 2.4.3 In terms of biodiversity, Core Strategy Policy R2 Natural Environment seeks to ensure the protection and enhancement of the natural environment, with developers required to demonstrate how their proposal will protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings. R2.2 also requires developers to provide an appropriate ecological assessment report to enable the Council to properly assess and determine the merits or otherwise of the development proposal. Policy R3 - Green infrastructure outlines the range of assets that make up Trafford's GI network and requires (R3.4) that all planning applications submitted to the Council for development must be supported by an appropriate statement to enable the Council to properly assess and determine the contribution made by the development to the green infrastructure network.

2.5 *Are the criteria for developers set out in part 2 of **policy CQ4** realistic as well as sustainable?*

2.5.1 Yes. The criteria set out in part 2 are consistent with the requirements of the policy and documents referenced above, along with the mandatory requirements to achieve biodiversity net gain, for example, following the Environment Act becoming law in November 2021.

2.6 *Should policy CQ4 make specific reference to the requirement for development proposals to adhere to the Greater Manchester Joint Waste Development Plan by ensuring the movement of waste up the waste hierarchy?*

2.6.1. Yes. To provide clarification and to respond to the representation of the Greater Manchester Minerals and Waste Unit in respect of the waste hierarchy, a minor modification has been proposed to policy CQ4. This sets out that all development proposals within the CQAAP will be expected to demonstrate how they incorporate sustainable design and construction features and follow the principles of the waste hierarchy.